

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
JANE DOE,

Plaintiff,

-against-

**NOTICE OF MOTION TO  
DISMISS THE COMPLAINT**

20-CV-08429 (ALC)(OTW)

CITY OF NEW YORK, GINO PELAEZ, and  
EDWIN CRESPO,

Defendants.  
----- X

**PLEASE TAKE NOTICE** that, upon the Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, dated August 16, 2021, and upon all prior pleadings and proceedings had herein, Defendant, the City of New York will move this Court, before the Honorable Andrew W. Carter, United States District Judge, Southern District of New York, at the United States Courthouse for the Southern of New York, located at 40 Foley Square, New York, New York, at a time and place to be set by the Court for an order and judgment, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, dismissing the Complaint against the Defendant on the ground that the Complaint fails to state a claim upon which relief can be granted, that it violates the applicable statute of limitations, and granting such other and further relief that this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Order at Docket Number 35, opposition briefs shall be filed by August 30, 2021 and any reply affidavits and memoranda of law shall be filed by September 7, 2021.

Dated: New York, New York  
August 16, 2021

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***GEORGIA PESTANA***

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*New York, New York 10007*

*Of Counsel: William A. Grey*

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*Due and timely service is hereby admitted.*

*New York, N.Y. .... , 2015.*

*Signed .....*

*Attorney for .....*